

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

MARGIE CECILE HANNAH,)
)
 Petitioner,)
)
 vs.) Case No. CIV-04-946-F
)
 MILLICENT NEWTON-EMBRY,)
)
 Respondent.)

ORDER

On June 16, 2005, United States Magistrate Judge Doyle W. Argo entered a Report and Recommendation, wherein he recommended that petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be denied and that petitioner's request for the appointment of counsel be denied as well.

Presently before the court is petitioner's timely objection to the Report and Recommendation. Having conducted a *de novo* review of the matter in accordance with 28 U.S.C. § 636(b)(1), the court concurs with Magistrate Judge Argo's analysis as to each of the eight grounds for relief raised by petitioner. The court agrees that petitioner is not entitled to habeas relief as to any of those grounds. The court finds petitioner's objection to be without merit. The court also agrees that, in light of the disposition of petitioner's habeas corpus petition, petitioner's motion for appointment for counsel should be denied. The court therefore concurs with the recommendation of Magistrate Judge Argo and accepts, adopts and affirms the Report and Recommendation in its entirety.

IT IS THEREFORE ORDERED that the Report and Recommendation issued by United States Magistrate Judge Doyle W. Argo on June 16, 2005 (docket entry no. 20), is **ACCEPTED, ADOPTED** and **AFFIRMED**.

IT IS ALSO ORDERED that Petitioner's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. Section 2254 by a Person in State Custody, filed August 2, 2004 (docket entry no. 1), is **DENIED**.

IT IS FURTHER ORDERED Petitioner's motion for appointment of counsel, contained in her brief in support of the habeas corpus petition, filed August 2, 2004 (docket entry no. 4), is **DENIED**.

ENTERED this 7th day of July, 2005.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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